SUBJECT: GIGLIO NOTICE: MANDATORY BRADY/GIGLIO LIST INCLUSION DUE TO SYSTEMIC DISHONESTY AND CORRUPTION BY ARIZONA PEACE OFFICER SHAWN FREEMAN

This correspondence serves as Official Notice and a Formal Complaint regarding the professional conduct, integrity, and fitness for duty of Officer Shawn Freeman, specifically identified as a Mesa SWAT Operator, Sniper, and Firearms Instructor who serves on multiple local, state and nationwide task forces.

This letter is predicated upon the fundamental constitutional requirements of due process, as established by the United States Supreme Court in ***Brady v. Maryland***, 373 U.S. 83 (1963), which mandates the prosecution's disclosure of exculpatory evidence, and ***Giglio v. United States***, 405 U.S. 150 (1972), which extended this duty to include all material evidence affecting the credibility and potential impeachment of government witnesses, including sworn law enforcement officers.

It is the assertion of this complainant that Officer Freeman has engaged in a verifiable and extensive pattern of misconduct, criminal activity, deceit, and material dishonesty that renders him inherently lacking in credibility. This pattern constitutes a profound risk to the integrity of the judicial process, inherently requiring his immediate, mandatory placement on the Brady/Giglio Disclosure List, given that his actions are reportedly far more egregious than those for which other officers are fired or decertified.

Based on publicly available documentation and witness accounts, Officer Freeman has engaged in a pattern of misconduct that directly implicates his credibility and fitness to serve as a witness. This includes Officer Freeman's alleged concealed professional misconduct, criminal acts, and ethical failures that constitute impeachable evidence under federal constitutional law, including but not limited to the following specific incidents:

I. Acts Constituting Perjury, Filing False Reports, and Fabrication of Evidence

The documented pattern of false official statements and documentation includes:

- **DUI and Deceit:** During a prior DUI incident, Officer Freeman was found to be intentionally deceitful and dishonest to law enforcement, subsequently pleading down to a lesser charge despite the incident report showing both DUI and deliberate dishonesty to law enforcement. Officer Freeman lied to the arresting deputy to avoid the Sheriff's Department notifying his employer at the time, a prison. Officer Freeman refused a breathalyzer and told the deputy they were not reliable. Officer Freeman's current agency, the Mesa Police Department should have read this report and found the inconsistencies and lack of candor during the hiring process but either failed to properly conduct a background investigation or knowingly ignored glaring evidence of dishonesty.

- **Fabricated Stalking Hoax and Pattern of Deception:** While attending the police academy, Officer Shawn Freeman was romantically involved with fellow recruit Kelsey Fortnam, who falsely reported being stalked. Freeman actively participated in the hoax by placing fabricated notes on Fortnam's vehicle and helping her construct a cover story and plant fake evidence after she was caught lying. The incident triggered a formal multi-state law enforcement investigation and was ultimately determined to be a fabrication. Despite his direct involvement, Freeman faced no consequences and was allowed to continue his law enforcement career, while Fortnam was fired and decertified. This disparity raises serious concerns about institutional bias, selective accountability, and Freeman's credibility. The stalking hoax marked the beginning of a broader pattern: **Freeman has repeatedly been involved in misconduct and linked to scandals while portraying himself as either innocent or a victim to avoid responsibility**. Also, during the academy, Freeman sustained an injury while highly intoxicated in a city park and lied to training officers about how and when it occurred. Later, Freeman dated Mesa Police Officer Tashina Forsen, who was ultimately fired and voluntarily relinquished her peace officer certification after using her department-issued vehicle to drive to a bar and then lying about the incident. As a newly sworn officer, Freeman became the subject of internal complaints alleging domestic violence against a former intimate partner. Mesa PD allegedly instructed him to cease contact with the woman and assured him the matter would be handled internally. Freeman ignored the directive, lied to his department and family, and continued secretly seeing the woman and her children. At the same time, he disparaged her to colleagues, friends, and family—calling her "crazy," "bipolar," and "abusive"—while portraying himself as the victim. Mesa PD had substantial evidence that Freeman violated their directive, including documentation showing he spent time at the woman's home and appeared in public with her and her children. Despite this, Freeman maintained his deception, even after moving in with Erin Gerlach and during her pregnancy with their daughter Brooklyn. This sustained pattern of misconduct—fabricated reports, dishonesty with superiors, violation of directives, and repeated involvement in scandals—demonstrates a calculated effort to evade accountability while weaponizing victimhood to protect his career. **He's not the victim—he's the common denominator.** The system's failure to recognize this pattern isn't just negligence. It's complicity.

- **Fabricated Officer-Involved Shooting:** Officer Shawn Freeman's first reported officer-involved shooting was, in reality, a negligent discharge of his duty weapon that he and the Mesa Police Department allegedly covered up. Freeman accidentally fired his weapon and then fabricated a story claiming that a man named Alejandro Soto had shot at him. When that version unraveled, Freeman changed his account, stating that Soto had pointed a gun and fled through a hole in a fence. Freeman told Gerlach that Soto had a long criminal history, lived nearby, and had prior contact with him—justifying why he named Soto as the suspect. In truth, Soto was not in the area at the time of the shooting, and ballistic evidence did not support Freeman's claims. Despite this, Soto was charged, and the false report triggered a massive law enforcement response that cost taxpayers hundreds of thousands of dollars. Helicopters, K-9 units, SWAT, detectives, the U.S. Marshals Task

Force, and other resources were diverted from actual crimes to locate Soto. Based on Freeman's fabricated claim that he feared for his life, homes were raided and civil rights were violated during the manhunt. Soto ultimately turned himself in and was immediately released. Freeman knowingly and intentionally accused Soto of a serious crime to avoid accountability for his own misconduct. Most troubling is that Freeman allegedly lied to colleagues, superiors, attorneys, the Maricopa County Attorney, investigators, union representatives, family, and friends—positioning himself as a heroic survivor of a shooting. Gerlach believes that some Mesa officers knew the incident was a negligent discharge, as it became a running joke within the department, with officers referring to Freeman's "officer-involved shooting" as him firing "warning shots."

- **Perjury and Fraud on the Court:** Officer Freeman allegedly committed **extreme perjury, perjury by inconsistent statements, and fraud on the court** in Maricopa County, Arizona; Riverside County, California; and Los Angeles County, California, while identifying himself as a police officer to the court, demonstrating a clear **pattern of lying under oath in multiple jurisdictions** in judicial proceedings.

- **Inconsistent Statements Regarding Gerlach's Residence and Child's School Attendance:** In August 2022 Officer Shawn Freeman informed Gilbert Police Department that Erin Gerlach and the parties' minor child had relocated to California and furnished Gilbert PD with Gerlach's California address and contact information; he listed that same California address on his Protective Order application. Nevertheless, approximately a week later in his initial Maricopa County Domestic Relations pleadings, Freeman represented Gerlach's address as "unknown" and asserted that Gerlach had "erratically" withdrawn the child from school in Arizona while also claiming he believed the child was in California with her mother to obtain medical treatment. Those representations are irreconcilable: if Freeman knew the child was in California with Gerlach, regardless of the reason, the child could not simultaneously be attending school in Arizona. This contemporaneous, documented contradiction—Gilbert PD contact information and Protective Order versus the Domestic Relations pleadings—supports the inference that Freeman intentionally manufactured a false narrative to portray Gerlach as unstable and to deceive the family court for the purpose of prejudicing her credibility and obtaining procedural advantage. Throughout the entire family court case, Freeman made conflicting statements regarding his knowledge of Gerlach and the child's whereabouts while he was repeatedly and simultaneously filing false police reports with Gerlach's California address. Freeman successfully obtained child custody orders based on these fraudulent representations he made to the court under penalty of perjury.

- **Perjury Regarding Domestic Violence in CA:** In judicial proceedings in Riverside and Los Angeles Counties, Officer Freeman allegedly committed extreme perjury by falsely testifying under oath that specific incidents of domestic violence did not occur to keep Gerlach from obtaining a Domestic Violence Restraining Order. In filings submitted to the Maricopa County family court Freeman averred that incidents of domestic violence

occurred and argued that Erin Gerlach should be denied legal decision-making authority because she allowed the child to witness significant acts of domestic violence committed against mother by father. In contrast, in sworn filings submitted to the Los Angeles and Riverside County courts Freeman affirmatively asserted that no domestic violence occurred. These materially inconsistent sworn statements, made under penalty of perjury in different judicial venues and contradicted by contemporaneous police reports, photographic and video evidence, travel records, and a District Attorney charging worksheet for domestic battery, give rise to a reasonable inference that Freeman knowingly made false statements in judicial proceedings. This demonstrates a calculated pattern of lying under oath to evade accountability for violence and corrupt the judicial process.

- **Fraudulent Warrant Request and Intentional Circumvention of Due Process:** Officer Shawn Freeman allegedly obtained an ex parte warrant in Arizona family court authorizing the retrieval of his child and granting permission to enter private property. In his sworn affidavit, Freeman claimed that Erin Gerlach was not in compliance with court orders. However, he simultaneously admitted that Gerlach had not yet been served with those orders—meaning she had no legal notice and no opportunity to comply. Freeman further stated his intent to "surprise" Gerlach, revealing a calculated effort to bypass due process and weaponize the court system. Freeman also failed to disclose a critical and contradictory fact: just six days earlier, in a related California restraining order proceeding, he had formally requested that the parties share **50/50 custody** of the child. This prior request undermined his claim of urgency and danger, and his omission of that fact constituted a material misrepresentation. In addition to these contradictions, Freeman allegedly made several other false or misleading statements during the warrant application process, all designed to manipulate the court into granting emergency relief under false pretenses and all of which directly contradict statements he made under penalty of perjury in the parties California cases. His conduct reflects a deliberate abuse of judicial process, fraud upon the court, and a sustained pattern of dishonesty intended to gain tactical advantage in custody litigation. What makes this especially egregious is Freeman's professional background. As a sworn law enforcement officer, he has undergone multiple formal trainings on warrant procedures, affidavit standards, and constitutional requirements for search and seizure. His decision to lie and omit material facts in a sworn affidavit—despite knowing the legal thresholds and ethical obligations—demonstrates not just misconduct, but **intentional deceit by someone trained to uphold the law**.

- **Filing Multiple False Police Reports:** Officer Freeman allegedly filed multiple **False Police Reports** with the Gilbert Police Department and made patently **False Statements** to Gilbert Police investigators while identifying himself as a police officer. These false reports were allegedly used to fabricate a criminal narrative against his former partner during civil proceedings, knowingly corrupting official records and diverting police resources for personal judicial gain.

- **Criminal Misuse of Missing Persons Registry and Tactical Fabrication of Kidnapping Claim:** Officer Shawn Freeman is accused of orchestrating a deliberate and escalating false narrative about the disappearance of his minor child in order to manipulate law enforcement and gain unlawful advantage in custody litigation. Freeman's claims evolved from stating mother and the child "moved," to alleging she was "erratically taken," and ultimately to falsely reporting her as kidnapped — resulting in her placement on the National Center for Missing and Exploited Children (NCMEC) registry, claiming she was abducted August 4, 2022. These allegations were made while Freeman knew the child's location and held no legal custodial rights. This was a calculated abuse of federal registries and public safety resources designed to manufacture urgency, discredit the child's mother, and trigger law enforcement intervention under knowingly false pretenses. Hundreds of thousands of dollars in taxpayer funds were used in this case while other missing children's cases are ignored.

- **Deceitful Conduct While Claiming Abduction:** Freeman's conduct during this period is presented as direct and compelling evidence of malicious intent. While asserting that his child was missing and in danger, Freeman was reportedly vacationing in Hawaii, Colorado, Idaho, California, and Mexico — and simultaneously pursuing personal milestones including engagement to his fiancé' and construction of a new home. These activities, documented during the same timeframe as his kidnapping allegations, are irreconcilable with the behavior of a parent in crisis. There is a clear and purposeful contradiction between his official, fraudulent claims of an endangered child and his actual personal priorities and lack of genuine concern. Freeman's conduct strongly conveys bad faith and a lack of genuine, contemporaneous concern for the child's safety. It suggests the missing-child claim was exaggerated, knowingly false, or instrumental — used to achieve a tactical advantage (e.g., custody, leverage, law-enforcement intervention) and harassment, rather than genuine concerns for the child.

- **Voicemail Hacking – Impersonation, Harassment and Stalking:** Officer Shawn Freeman unlawfully accessed someone's voicemail account without permission and changed the outgoing greeting to mimic the official recorded message used by the National Center for Missing and Exploited Children (NCMEC). This impersonation was intended to intimidate, manipulate, harass, and cause fear — deceiving callers into believing they had reached a federal missing child registry and reinforcing Freeman's false claim that the child had been abducted. His actions constitute multiple crimes, including unauthorized access to communications, criminal impersonation of a federal entity, stalking and harassment under both state and federal law. This calculated digital deception further demonstrates that Freeman's use of the NCMEC registry was not motivated by genuine concern, but by a retaliatory effort to escalate psychological pressure and abuse legal systems for personal gain.

- **False Allegations, Tactical Fabrications, and Abuse of Law Enforcement Systems:** In August 2022, Officer Shawn Freeman filed a police report with the Gilbert Police

Department accusing his former partner, Erin Gerlach, of identity theft. His complaint was based on a video that had surfaced online showing his badge number—a number that is public information and not protected under Arizona's identity theft laws (**A.R.S. § 13-2008**). That investigation remained open for nearly seven months, concluding around January 31, 2023. During that entire period, Freeman never told investigators that his child had been kidnapped or was missing. Yet later, he placed the child on the National Center for Missing and Exploited Children registry, claiming the child had been abducted on August 4, 2022—around the time he filed the identity theft report. This raises serious questions: if Freeman truly believed his child had been abducted, why didn't he report it to police at the time? Why didn't he mention it during the 6-7 months-long investigation? Instead, Freeman selectively shared the kidnapping story with certain people, depending on the situation. This inconsistency undermines the credibility of his claim and suggests it was used strategically to influence legal proceedings or public perception.

- **Fraud on the Court and Criminal Exploitation of Judicial Orders:** Officer Shawn Freeman is accused of orchestrating a calculated fraud on the court by securing custody orders through perjury, material misrepresentation, and deliberate deception. According to court filings, Freeman knowingly submitted false sworn statements to obtain judicial orders to which he had no lawful entitlement. These orders — tainted from inception — were then weaponized to initiate criminal charges against the child's mother, despite Freeman's full awareness that the underlying orders were procured through fraud. The misconduct did not stop there: Freeman allegedly registered the void and fraudulently obtained orders in multiple jurisdictions, triggering enforcement actions and criminal exposure across state lines. This conduct constitutes a multi-jurisdictional abuse of process, criminal misuse of judicial authority, and a sustained pattern of legal manipulation. Freeman's actions were deliberate, strategic, and executed with malicious intent to subvert due process, retaliate against the child's mother, and exploit the machinery of justice for personal gain.

- **Intentional Failure to Activate Body Camera and Subsequent Lying:** Officer Freeman allegedly admitted to intentionally **failing to activate his body camera** while using excessive force and subsequently admitted to lying to Internal Affairs investigators about the incident. Freeman was never reprimanded for this misconduct, despite the seriousness of the violation and the implications for evidentiary integrity. His actions reflect a deliberate effort to conceal material evidence and obstruct oversight. There are additional allegations that Freeman has intentionally disabled or tampered with his body-worn camera during other incidents involving excessive force, further reinforcing a pattern of calculated noncompliance.

- **False Theft Report and Internal Deception to Conceal Mishandling of Police Gear:** Officer Shawn Freeman received a late-night call from a Mesa Police Department sergeant after a City of Mesa employee discovered Freeman's marked patrol bag—filled with law enforcement gear—abandoned in a canal. Freeman claimed the bag had been stored in a shared storage unit with Erin Gerlach and that the unit had been broken into due to his

own failure to properly secure the lock. He met officers at the facility and admitted that due to his own failure to properly secure the lock, the storage unit had been compromised. The sergeant who recovered the patrol bag chose not to log it into evidence, allegedly as a personal favor. Instead of initiating a formal misconduct review, the sergeant reportedly forced Freeman to lead a search of the entire storage facility as an informal punishment—even though officers knew the break-in had occurred days or weeks earlier and the suspect was no longer on site. Freeman then filed a police report claiming several items—including a hunting bow, leaf blower, tools, and lawn equipment—had been stolen. But when Erin Gerlach accompanied Freeman to the unit, she pointed out that the allegedly stolen items were still present and in plain sight. Freeman continued to insist they were stolen, allegedly to distract his department from the fact that he had irresponsibly stored sensitive police-issued gear—uniforms, ammunition, weapons, and other supplies—in an unsecured public facility and failed to secure the unit properly. Mesa PD dispatched crime scene technicians to collect fingerprints and launched a full investigation based on Freeman's knowingly false report, consuming significant taxpayer resources and diverting officers and forensic personnel from legitimate cases. Freeman received substantial preferential treatment: unlike typical victims of storage unit theft, he was granted a full facility search, forensic support, and investigative attention far beyond standard protocol. This incident is part of a broader pattern. Freeman not only lied in his police report—he also misled his own department about the circumstances surrounding the recovered gear and the alleged theft. His actions reflect a sustained pattern of dishonesty, abuse of public resources, and institutional favoritism that raises serious questions about his credibility, judgment, and fitness for continued law enforcement service.

- **Deceitful Use of an Order of Protection:** Officer Shawn Freeman allegedly committed perjury in one of his applications for an Order of Protection by falsely claiming that Erin Gerlach had choked him and left visible marks on his neck—a claim directly contradicted by a police report documenting there were NO RED MARKS on his neck. Despite securing the order through false claims, Freeman never served Gerlach. Instead, he concealed the existence of the order while they continued living together, using it as a covert weapon of control. Freeman's concealment was strategic. He waited until Gerlach attempted to report him for a severe act of domestic violence before revealing the secretly obtained order. At that moment, Freeman threatened her with removal from their shared home and separation from their child if she exposed his abuse or failed to comply with his demands. This was not an isolated incident—it reflects a broader pattern of misconduct. Freeman has repeatedly delayed service of restraining orders to gain tactical advantage in legal proceedings. In a separate case, he intentionally withheld service of a protective order for **six to seven months**, preventing Gerlach from contesting it before a critical temporary orders hearing in family court. Freeman lied to Gilbert Police, claiming he had coordinated service through the Riverside County Sheriff's Office—a claim disproven by investigative records showing no such contact occurred. His pattern of deceit, manipulation of judicial processes, and abuse of protective orders for personal leverage constitutes a grave

violation of public trust and raises serious Brady/Giglio concerns regarding his credibility and fitness to serve.

- **Contempt of Court, Evading Service, and Violating Restraining Orders:** Officer Freeman violated Domestic Violence Restraining Orders multiple times and engaged in a six-month-long scheme to evade legal service of the orders, including repeatedly lying to a Maricopa County Sheriff Deputy attempting service. Officer Shawn Freeman allegedly violated multiple Domestic Violence Restraining Orders (DVROs) issued against him by engaging in prohibited conduct, including stalking Erin Gerlach and hiring private investigators to locate her—despite being under explicit court orders not to search for or contact her in any form. He also dissuaded her from appearing in court for a Restraining Order hearing by threatening her the morning of court to have her arrested if she appeared. These actions reflect a sustained and calculated disregard for judicial authority and the protective intent of the orders. Freeman also allegedly failed to surrender all firearms as required by the DVROs and falsely certified to the court—under penalty of perjury—that he had complied. This sworn misrepresentation not only violated the court's directive but also placed Gerlach at continued risk, especially given Freeman's access to weapons and history of intimidation. What makes this especially alarming is Freeman's status as a trained law enforcement officer, fully versed in the legal consequences of violating protective orders and the procedures for firearm surrender. His deliberate defiance of these protocols—combined with his use of law enforcement knowledge to evade service and manipulate legal processes—demonstrates a dangerous abuse of power. For the victim, this pattern is not just legally significant, it's terrifying. Watching the perpetrator repeatedly violate court orders, lie under oath, and weaponize his badge without consequence sends a devastating message: the system will not protect you.

- **Intentional Use of Force and False Reporting: Tasing Incident Concealed by Mesa PD:** Officer Shawn Freeman allegedly admitted to intentionally deploying his department-issued Taser on a male suspect's testicles during a traffic stop initiated solely for a missing bicycle light. Despite the deliberate nature of the act, Freeman falsely claimed in his official report that the use of force was accidental. Mesa Police Department possessed substantial evidence contradicting Freeman's account, including communications with fellow officers and members of Freeman's own family, in which he shared photos, memes, and jokes about the incident—conduct that flagrantly violated department policy and professional standards. The stop itself was initiated over a minor equipment violation: the absence of a visible bike light. Yet Freeman escalated the encounter to a level of gratuitous and humiliating force, then attempted to conceal his intent through falsified documentation. Mesa PD failed to take disciplinary action despite having clear proof of Freeman's premeditated conduct and post-incident mockery, further reinforcing a pattern of impunity and institutional tolerance for misconduct.

- **Violation of Internal Affairs Protocol and Coordinated Report Tampering:** Following a critical incident, Officer Shawn Freeman allegedly disclosed in his initial report that he

harbored a *premeditated desire to harm, shoot, or kill* one of the suspects involved. This admission triggered immediate intervention from a superior who allegedly called Freeman and instructed him to *immediately edit his report* to remove the incriminating language. Freeman complied, revising the report as directed and subsequently coordinating his altered narrative with fellow officers who had already been served with **Notices of Investigation (NOIs)**.

- **Suppressed Evidence and Coordinated Misconduct Following Notice of Investigation:** Mesa Police Department allegedly ignored substantial, verifiable evidence—including phone records, call logs, and other communications—that would have demonstrated a coordinated effort among officers to obstruct an internal investigation. Specifically, records show that officers who had already been served with **Notices of Investigation (NOIs)** contacted Officer Shawn Freeman on his day off to warn him that he was about to be served and to align their stories in advance. These communications occurred in direct violation of departmental admonishments prohibiting discussion of active internal affairs cases. Following these calls, Freeman allegedly altered his report to match the revised narrative, and other officers made similar edits to their own statements. Mesa PD had access to the communication records confirming this post-NOI coordination yet failed to act on the evidence or hold any of the involved officers accountable. Supervisors not only ignored the violations—they allegedly took affirmative steps to conceal the misconduct, protect the officers involved, and sanitize the investigative record. This deliberate suppression of evidence and tolerance of coordinated deceit reflects a systemic failure of internal accountability and a culture of impunity within Mesa PD. It also raises serious Brady/Giglio implications regarding the credibility of every officer involved in the conspiracy.

II. Fraudulent Schemes, Corrupt Activity, and Abuse of Authority

These facts document acts of fraud and corruption, including the misuse of official power and the violation of the public trust, which include:

- **Fraudulent Workers' Compensation Claims:** Officer Freeman allegedly injured his back at a gym, subsequently **lied to his employer**, and filed **fraudulent workers' compensation claims** pretending the injury occurred at work.

- **Time Fraud and Theft of Public Funds:** On dozens—if not hundreds—of occasions, Officer Shawn Freeman and several colleagues allegedly engaged in **timecard fraud** by intentionally falsifying timesheets to collect pay for hours not actually worked. This included remaining logged in while off-duty, running personal errands, remaining at home, and in some instances, consuming alcohol during hours they claimed to be on duty. These actions constitute a pattern of **theft of public funds**, misappropriation of taxpayer resources, and potential violations of both departmental policy and state criminal statutes. On several occasions, the department's timekeeping staff contacted Freeman directly after

noticing discrepancies in his logged hours. Freeman allegedly responded by pretending he had simply "forgotten" to log out—despite clear evidence to the contrary—and lied to the timekeeper to avoid scrutiny. His repeated excuses and false explanations further demonstrate a calculated effort to conceal misconduct and defraud the city.

- **Deliberate Insurance Fraud, False Statements to a Government Agency, and Institutional Cover-Up:** Officer Shawn Freeman is alleged to have engaged in a calculated scheme of insurance fraud and deliberate misrepresentation to both the Arizona Department of Public Safety (DPS) and a private insurer. After receiving DPS-issued fix-it tickets for safety defects on his vehicle, Freeman submitted documentation falsely certifying that the required repairs had been completed—despite knowing the defects remained unaddressed. This deception is corroborated by automated traffic-camera citations issued during the same period, which clearly show the vehicle's defects persisted, directly contradicting Freeman's sworn submissions. Additional evidence from his employer's security camera footage further confirms the fraud: Freeman parked his pickup truck at the Mesa Metro station for years, and the footage consistently shows the same unrepaired safety defects—demonstrating that his claims to DPS were knowingly false. Shortly thereafter, Freeman was involved in a vehicular collision. The insurer was billed for damage that corresponded to the same unrepaired defects Freeman had previously misrepresented as resolved. This sequence of events supports a compelling inference of false statements to a government agency and fraudulent insurance claims—both of which carry serious criminal implications. Freeman's employing agency was formally notified of these indicia of dishonesty, insurance fraud, and related misconduct. Rather than initiate a proper investigation, the agency allegedly retaliated against the complainant.

- **Medical / Dental Insurance Fraud:** Officer Freeman is accused of sending fellow officers to the dental office where his mother worked so they would receive procedures their insurance did not cover (for example, cosmetic work). Instead of charging the officers directly, his mother is alleged to have altered how the work was billed: she submitted insurance claims that listed different, covered procedures or billed for services that were not actually performed so the insurer would pay. The result was that out-of-pocket costs for noncovered care were shifted onto insurers. Freeman undoubtably knew his mother was participating in a coordinated scheme to shift out-of-pocket costs onto insurers and could constitute serial health-care fraud, theft by deception, and serious regulatory and professional violations at the dental practices involved.

- **Concealment of Real Estate Defects:** Officer Shawn Freeman is alleged to have knowingly and deliberately falsified seller disclosures during the sale of his personal residence, concealing multiple hazardous defects including active termite infestation, toxic mold, electrical fire risks, and improperly wired HVAC systems. The tile installation throughout the home was so structurally compromised that Freeman considered suing the contractor but declined solely because the contractor was the father of a fellow officer. Documented

communications between Freeman and his former girlfriend reveal that she urged him to pursue professional termite treatment due to the severity of the infestation. Freeman refused, stating that a documented treatment would jeopardize the sale by alerting prospective buyers to the underlying damage. Instead, he allegedly staged the home and physically obscured the defects to deceive both the inspector and the buyer, facilitating the sale under false pretenses. In a further act of reckless disregard, Freeman donated termite-infested furniture from the home to the city's law enforcement simulation house — a training facility used by officers statewide. This decision exposed his own colleagues to potential property damage and infestation, underscoring a disturbing level of selfishness and indifference to the well-being of others. Freeman's concealment was calculated, retaliatory, and financially motivated. His actions constitute **fraudulent misrepresentation**, **criminal concealment**, and potential violations of **real estate disclosure laws**, **consumer protection statutes**, and **public health codes**. The misconduct also raises serious **Brady/Giglio concerns**, as it reflects a pattern of dishonesty incompatible with law enforcement credibility.

- **Private Security Operation on Duty:** Officer Shawn Freeman and several colleagues within the Mesa Police Department are alleged to have operated an unlicensed private security enterprise while on duty, using city-issued vehicles, equipment, and taxpayer-funded time to provide cash-based protection services to wealthy individuals. These services were coordinated through private text messages and calls—bypassing official dispatch channels like 911—and included SWAT deployments to private residences without formal authorization. The operation reportedly funneled illicit proceeds through a nonprofit and affiliated foundation, effectively laundering money and concealing the scope of their under-the-table activities. This conduct represents a profound abuse of authority, a conflict of interest, and a misuse of public resources, implicating multiple violations including money laundering, bribery, and public corruption under Arizona and federal law.

- **Involvement in Car Dealership Fraud Scheme:** Officer Shawn Freeman is alleged to have participated in a coordinated insurance fraud scheme with a privately owned car dealership, accepting cash payments in exchange for filing police reports on vehicles that were intentionally staged to appear stolen. These vehicles were reportedly left unlocked, with keys either inside or in unsecured key boxes, creating a pattern of deliberate negligence designed to trigger insurance payouts. Freeman allegedly acknowledged to the dealership's owner or manager that the volume and circumstances of these "thefts" made it obvious to the department that the operation was an insurance scam. Rather than investigate or escalate the pattern, Freeman is accused of entering into a cash-for-reports arrangement, taking the stolen vehicle reports himself and ensuring they were kept off the desks of certain detectives and investigators. This conduct implicates serious violations including **insurance fraud**, **evidence tampering**, **bribery**, and **conspiracy to defraud**, and may expose Freeman and the dealership to criminal prosecution under both state and federal law.

- **Illegal Manipulation of Accident Investigation:** Officer Shawn Freeman allegedly manipulated an accident investigation to protect his cousin, who had struck a child riding a bicycle in a marked crosswalk, by repeatedly accessing the confidential police report from his departmental laptop while off-duty and reading the investigating officer's notes aloud to the suspect over the phone. Freeman did not personally know the patrol officer who responded to the crash, so he reached out to a training officer with whom he had a close relationship and allegedly used that connection to interfere with the investigation. Freeman and his entire family were well aware that his cousin suffered from a serious medical condition that had caused multiple prior collisions, and Freeman himself had repeatedly stated that she should not be driving. Despite this, he allegedly acted to shield her from criminal charges and license suspension. Phone records confirm that Freeman's uncle—a fellow law enforcement officer and decorated former homicide detective—called Freeman just before these unauthorized accesses, prompting his intervention. Mesa Police Department possesses logged evidence of Freeman's repeated access to the report but declined to investigate or discipline him, allowing a clear breach of policy, obstruction of justice, witness tampering, and public endangerment to be swept aside. This coordinated abuse of power implicates multiple officers and reflects a systemic failure of accountability.

- **Fraudulent Use of Official Police Letterhead for Personal Gain:** Officer Shawn Freeman is alleged to have misused official City of Mesa Police Department letterhead to produce false or misleading documents on behalf of friends and family, absent any legitimate law enforcement purpose. In one documented instance, Freeman authored a letter to a safe manufacturer falsely asserting that a safe was not stolen, despite the manufacturer's records indicating otherwise. The letter was intended to assist the purported owner—who had allegedly admitted to acquiring the safe through illicit means ("off the truck")—in obtaining a new combination and regaining access. This act constituted a deliberate misrepresentation made under the color of official authority. Freeman's use of department letterhead to legitimize a false claim not only undermined the integrity of the agency but may also constitute **fraud**, **forgery**, or **false swearing** under Arizona law. In exchange for this misuse of official resources, Freeman allegedly received steeply discounted merchandise from the employer of the individual he assisted—raising further concerns of **bribery**, **unlawful gratuities**, or **official misconduct**. This incident reflects a serious breach of public trust and a potential pattern of leveraging police authority for personal benefit.

III. Abuse of Authority, Deceitful Concealment, and Constitutional Violations

These facts document profound violations of public trust, constitutional rights, and official policy, which include:

- **Failed Psych Evaluation and Illicit Drug Admission:** Officer Freeman had to take multiple psychological evaluations to get hired and was allegedly **disqualified from applying at his**

agency for a period of seven (7) years. The disqualification stemmed from his **admission of taking controlled prescription medication not prescribed to him**. This conduct demonstrates a fundamental lack of judgment, failure to follow the law, and raises grave concerns regarding the officer's fitness for duty and his veracity during the subsequent hiring or retention process, constituting a direct impeachment issue.

- **Misuse of Official Position for Family Court Advantage:** Officer Freeman allegedly leveraged his official position as a **Mesa SWAT operator, sniper, and firearms instructor**, including utilizing police resources and tools to stalk, harass, surveil, compile protected information, and **weaponize his law enforcement title** against his former partner **Erin Gerlach** and others related to a custody dispute, constituting a violation of departmental policy, abuse of public trust, and **misuse of official authority for private gain**.

- **Fraudulent Mandated Reporter Claims - Deceit in Family Court:** Officer Shawn Freeman, a sworn peace officer and legally mandated reporter under **A.R.S. § 13-3620**, allegedly committed *Perjury* and *Fraud on the Court* by testifying under oath in Maricopa County family court proceedings that his former partner, Erin Gerlach, posed a danger to their minor child. Despite this sworn claim, Freeman willfully failed to file any report with the Arizona Department of Child Safety (DCS) or any other child welfare agency, as required by law. Under **A.R.S. § 13-3620**, mandated reporters must immediately report any reasonable belief that a child is being abused or neglected. Freeman's failure to do so—while simultaneously asserting under oath that the child was in danger—constitutes material evidence of perjury (**A.R.S. § 13-2702**) and a knowing abuse of his professional duty for personal and judicial advantage. Freeman's conduct is further undermined by his own actions and admissions. He allowed Gerlach to serve as the child's sole caregiver since birth, routinely left the child in her care while he traveled for leisure (including golf outings, hunting trips, and vacations), and permitted her to take the child out of state for extended periods—days, weeks, and even months at a time. These actions are fundamentally inconsistent with any genuine belief that Gerlach posed a danger to the child. Moreover, in his initial pleadings to the Maricopa County Superior Court, Freeman explicitly acknowledged that he consented to Gerlach taking the child to California. If his later claims of danger were true, such consent would constitute reckless disregard for the child's safety and could expose Freeman himself to liability for **child abuse or endangerment under A.R.S. § 13-3623**. Taken together, Freeman's contradictory statements, failure to fulfill his statutory reporting obligations, and pattern of deceptive conduct raise serious concerns about his credibility, integrity, and fitness to testify in any proceeding. His actions appear calculated to manipulate judicial outcomes while evading the legal responsibilities imposed on him as a law enforcement officer and mandated reporter.

- **Fraud on Family Court and Subornation of Perjury:** Officer Freeman allegedly perpetrated a **Fraud Upon the Family Court** by presenting materially false, deceitful, and contradictory testimony, affidavits, and filings during custody proceedings. Furthermore,

it is alleged he engaged in **subornation of perjury** by coercing, inducing, or assisting colleagues to provide false supportive statements to the court, corruptly influencing a judicial outcome for personal benefit, demonstrating a profound lack of candor and respect for the judicial system.

- **Undisclosed History of Domestic Violence, Substance Abuse, and Child Abuse:** Officer Freeman has a documented history of domestic violence, substance abuse, and is credibly alleged to have committed child abuse against the minor child, all of which was concealed from the court while he used his official title to obtain custody. This history constitutes mandatory impeachment material directly related to his fitness for duty and credibility in judicial matters.

- **Criminal Enforcement of Fraudulently Obtained Orders:** Officer Freeman allegedly committed extreme perjury and fraud to deceive the court and wrongfully obtain child custody orders. He then knowingly and criminally enforced these orders, using his status as a police officer and his prior fraudulent claims of kidnapping to leverage judicial deceit for illegal personal gain and custody advantage. This act constitutes a willful use of the State's legal process to commit a crime, demonstrating intentional dishonesty and abuse of authority from inception to execution.

- **Illegal Collusion with Judicial Officer:** Officer Freeman allegedly colluded illegally and corruptly with a Family Court Judge for a period exceeding one year to gain an unfair advantage in custody proceedings. This unlawful collusion involved private, unauthorized communications, thereby leveraging judicial authority to commit fraud upon the court and further the willful deprivation of due process against Erin Gerlach and the minor child.

- **Illegal Judicial Collusion, Conspiracy, and RICO Violations:** Officer Freeman allegedly colluded illegally and corruptly with a Family Court Judge who concealed her bias and conflict of interest for over a year while issuing orders. This collusion is evidenced by the Judge's participation in law enforcement investigations with Officer Freeman and his employer (Mesa Police Department) against his opposing party (Erin Gerlach). This unlawful collusion, involving ex-parte communications and the weaponization of judicial authority for personal gain, constitutes criminal conspiracy and RICO violations. As an officer of the court, Officer Freeman is fully aware that this collusion, ex-parte communication, concealed conflict, and judicial bias are illegal and unethical, yet he allegedly participated knowingly to commit fraud upon the court and further the willful deprivation of due process against Erin Gerlach and the minor child.

- **Systemic Abuse of Official Title in Civil Matters:** Officer Freeman has allegedly engaged in a pattern of using his official identity by repeatedly and inappropriately identifying himself as a Police Officer and quoting his professional training and expertise in private, Civil Court matters and police interactions to manipulate legal outcomes. Conversely, when his professional capacity is cited by the opposing party (**Erin Gerlach**), he claims

harassment or argues his profession is irrelevant. This demonstrates a corrupt and strategic abuse of his sworn title for personal leverage.

- **Willful Deprivation of Due Process/Equal Protection:** It is alleged that Officer Freeman's entire pattern of illegal and unethical conduct, specifically the repeated acts of perjury and the misuse of his official title and departmental resources, has resulted in the **willful deprivation of the rights, secured and protected by the Constitution of the United States, to Due Process and Equal Protection Under the Law** for his former partner **Erin Gerlach** and **their minor child** in judicial proceedings since **August of 2022**.

- **Unlawful Database Access and Login Swapping:** Officer Freeman allegedly accessed **confidential police databases** for people who were not in law enforcement for personal reasons, including researching plate numbers and addresses. He and his colleagues allegedly **swapped login information** to avoid being caught accessing these databases, a systemic breach of security protocols.

- **Intentional Misplacement on Gang Databases:** Officer Shawn Freeman allegedly placed individuals into gang databases out of personal retaliation, fully aware that they had no actual gang affiliations. He did this knowing the designation would inflict lasting harm through surveillance, legal consequences, and reputational damage. Beyond this abuse of law enforcement systems, Freeman maintained a personal, unauthorized collection of gimmicks he filled out himself, along with photographs of alleged gang members, their tattoos, family members, associates, and even images of IDs, prescription bottles, and license plates. These materials were stored insecurely—at one point kept in a box inside a storage unit that had been broken into—without any legitimate investigative purpose or departmental oversight. This conduct reflects a disturbing pattern of retaliatory database manipulation, privacy violations, and reckless handling of sensitive information.

- **Unauthorized Experiments Harming Citizens:** Officer Shawn Freeman and several colleagues within the Mesa Police Department allegedly conducted unauthorized experiments using defective "less lethal" super-sock bean bag projectiles known to cause serious injuries due to excessive velocity—projectiles that Mesa PD command staff acknowledged were dangerous, as evidenced by internal emails instructing officers to stand farther from suspects to reduce harm. Despite a documented incident in which a grandfather was hospitalized for six days due to bean bag penetration, and despite other agencies—including Phoenix PD—discontinuing use of the defective rounds, Freeman and fellow operators reportedly shot individuals at varying ranges to observe injury severity, photographing the results on both work and personal devices, sharing images in group chats, compiling physical data logs, and distributing injury photos to civilians including Gerlach. These actions constitute clear violations of department policy and likely criminal conduct, yet Mesa PD has failed to investigate or discipline those involved.

- **Illegal Tracking and Phone Cloning:** Officer Shawn Freeman allegedly engaged in illegal surveillance and unauthorized operations on Tribal land, boasting about using a burner phone to clone a suspect's device without a warrant and claiming he could monitor anyone's communications in real time. He reportedly planted non-department-issued cameras and tracking devices on sovereign Indigenous territory without judicial approval, violating Fourth Amendment protections. In one incident, Freeman entered a reservation while off duty using an unmarked vehicle borrowed from a SWAT team member—one known for its blackout capabilities and favored for avoiding detection. She later came to believe Freeman may have struck a woman named Natasha Cooper, who was the victim of a hit-and-run on the reservation that same night. When Erin raised the possibility years later, Freeman allegedly threatened her. This implicates Freeman in illegal surveillance, unauthorized law enforcement activity on sovereign land, evidence tampering, witness intimidation, and potentially vehicular homicide—raising urgent questions about departmental oversight, interagency vehicle use, and the concealment of violent crimes.

- **Criminal Interference with Investigations:** Officer Freeman allegedly provided **sensitive information to friends who were subjects of criminal investigation**. In one instance, he allegedly assisted a convicted felon named Jacob Manley in avoiding charges for a crime by instructing him on how to **destroy evidence, create an alibi, and avoid criminal prosecution**, and lied to Internal Affairs about his friendship with this felon. He also allegedly sought and received restitution for a broken watch during an arrest in another case, despite knowing the watch was already broken and held together with glue.

- **Concealing and Destroying Evidence:** Officer Freeman allegedly brought evidence bags containing substances and cash home, sometimes discarding what appeared to be drugs that went through the wash into the household trash, and storing suspects and victim's personal items including wallet and identification in his personal home gun safe for a long period, violating chain-of-custody protocols.

- **Collaboration with Drug Cartel Members:** Officer Freeman allegedly researched addresses affiliated with a cartel for personal friends, not for a valid law enforcement purpose. He also allegedly **assisted the same cartel members in ensuring their drug loads got safely through the valley, risk safed drop houses,** and had significant involvement with another cartel operating a **drug distribution, human trafficking, and money laundering scheme** using produce farms and trucking companies as fronts.

- **Intentional Malicious Arrests:** Officer Freeman allegedly admitted to intentionally arresting the wrong party during domestic violence incidents because he hated crying. He admitted to seeing injuries on the victim but arrested the victim for being "hysterical," justifying his failure to arrest the aggressor.

- **Illegal Political Use of Authority:** Officer Freeman allegedly used his colleagues and the Mesa SWAT team to orchestrate a **raid on a neighbor's house** of a family member based on a personal vendetta, spending tens of thousands of taxpayer dollars in using SWAT resources to get the neighbor evicted under false pretenses.

- **Misconduct to Evade Liability:** After receiving a notice of investigation for intentionally failing to activate his body-worn camera during an incident in which he punched a civilian in the face with a closed fist, Officer Freeman reportedly adopted tactics to avoid future accountability. He admitted to deliberately wearing his body camera incorrectly and loosening the screws on its mounting bracket so that the device would "accidentally" detach during operations. This setup allowed him to falsely report the failure to record as a technical malfunction, masking intentional noncompliance and undermining evidentiary integrity.

- **Illegal Misuse of SWAT Resources for Personal Gain and Retaliation:** Officer Freeman has allegedly engaged in a pattern of using his membership in the specialized SWAT unit, including the unauthorized use of specialized equipment and personnel, to conduct **intimidation, surveillance, and retaliatory actions** against private citizens and associates in civil disputes, demonstrating a corrupt willingness to misuse taxpayers resources for personal vendettas and gain.

- **Betrayal of Oath, Retaliation, and Misuse of Public Resources:** Officer Shawn Freeman's conduct represents a catastrophic breach of the oath he swore to uphold as a peace officer—a pledge to serve with integrity, impartiality, and fidelity to the Constitution. Instead, Freeman allegedly weaponized his badge to commit perjury, tamper with evidence, violate court orders, and manipulate legal processes for personal gain. Most egregiously, he is accused of using taxpayer-funded law enforcement resources to pursue a personal vendetta. Such conduct is a direct assault on the rule of law and the public trust. Freeman's actions reflect a pattern of calculated abuse, institutional corruption, and retaliatory enforcement that renders him unfit for any role requiring lawful discretion or public accountability. His continued presence in law enforcement poses a threat to victims, undermines judicial integrity, and demands immediate Brady/Giglio disclosure, POST decertification, and criminal investigation.

IV. Mandatory Disclosure and Placement on Giglio List

Officer Shawn Freeman's documented pattern of misconduct—including acts of dishonesty, retaliatory abuse of authority, perjury, and criminal fraud—constitutes material impeachment evidence under *Brady v. Maryland*, 373 U.S. 83 (1963), and *Giglio v. United States*, 405 U.S. 150 (1972). His continued participation in any criminal investigation or prosecution, absent full disclosure of this record, poses an ongoing threat to the constitutional rights of defendants and the integrity of judicial proceedings.

This correspondence serves as formal notice to the employing agency and the Oversight Board of your **affirmative constitutional obligation** to disclose all known impeachment material related to Officer Freeman in accordance with *Brady*, *Giglio*, and Rule 15.1 of the Arizona Rules of Criminal Procedure. Freeman must be **immediately placed in the Rule 15.1 Disclosure Database**, and his involvement in any prosecutorial matter must trigger automatic disclosure of all relevant misconduct.

Failure to disclose even a single incident bearing on Freeman's credibility, truthfulness, or abuse of authority constitutes a violation of due process and may result in:

- Suppression of evidence
- Reversal of convictions
- Judicial sanctions
- Exposure to civil liability under **42 U.S.C. § 1983** for deprivation of rights under color of law

The duty to disclose is **non-discretionary, continuing, and institutionally binding**. Prosecutors and law enforcement agencies are legally and ethically required to ensure that all material impeachment evidence is disclosed to defense counsel in a timely and complete manner. Any deviation from this obligation undermines the fairness of proceedings and subjects the State to substantial legal risk.